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Prepared by: Darren Sanders
Engineering

Approved by: Lisa Kelly
County Attorney

A RESOLUTION APPROVING AMENDMENT NO. 1 TO THE GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR ASPHALT RESURFACING AND/OR PAVING OF SHELBY COUNTY ROADS USING FUNDS FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA). SPONSORED BY COMMISSIONER DEIDRE MALONE.

WHEREAS, In accordance with Resolution Item No. 29 adopted August 3, 2009, Shelby County has approved an agreement with the Tennessee Department of Transportation (TDOT) to accept \$2,550,995.00 in American Recovery and Reinvestment Act (ARRA) of 2009 funds for asphalt resurfacing and/or paving of County roads; and

WHEREAS, TDOT has requested an amendment to the ARRA contract for revisions to Section D.26 regarding third party contracts and the addition of a Section D.38 entitled Federal Economic Stimulus Funding.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That Amendment No. 1 with the Tennessee Department of Transportation is hereby approved.

BE IT FURTHER RESOLVED, That the Mayor is hereby authorized to execute the aforementioned Amendment on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Contract Administration Section of the Office of the County Attorney.

Joyce Avery, Acting County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED _____

Summary Sheet

I. Description of Item

The resolution approves an amendment requested by TDOT to the agreement with Shelby County for resurfacing of County roads under the American Recovery and Reinvestment Act (ARRA) of 2009. This amendment adds a Section D.38 entitled “Federal Economic Stimulus Funding” to the TDOT boiler plate contract. This new section prohibits ARRA funds from being used to construct specific facilities such as casinos, zoos, golf courses or swimming pools. It also details guidelines for reporting requirements, inspector general reviews, wage rate requirements and whistle blower protection.

Section D.26 of the contract is being re-titled from “Completeness” to “Certification Regarding Third Party Contracts” and contract provisions have been inserted to require any third party contracts to be disclosed to TDOT prior to commencing work.

II. Source and Amount of Funding

This Amendment does not change the prior approved funding.

A. Amount Expended/Budget Line Item

1. Construction Inspection and materials testing	\$ 127,550.00
2. TDOT oversight	\$ 18,000.00
3. Construction	\$ 2,405,445.00
	\$ 2,550,995.00

B. All Costs (Direct/Indirect)

1. Design Costs - \$26,800.00 (encumbered in FY 2008-09)
2. Estimated Construction Costs - \$2,550,995.00

C. Additional or Subsequent Obligations or Expenses of Shelby County

1. None

III. Contract Items

A. Type of Contract	Standard
B. Terms	Routine

IV. Additional Information Relevant to Approval of This Item

Shelby County has received approval to pave/resurface six roadway segments using ARRA funds as follows:

1. Crumpler Road from Stateline Road to Lake Valley Road.
2. Hacks Cross from Stateline Road to Centennial Drive.
3. Houston Levee from Wolf River Bridge to Wolf River Parkway.
4. Raleigh-Millington Road from the Loosahatchie River Bridge to Amherst Rd.
5. Ross Road from Holmes Road to Ross Cove.
6. Walnut Grove Road from Rocky Point to Houston Levee Road.

Completion of this asphalt surfacing project is anticipated in the spring of next year.